

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 RANDOLPH CYPRIAN,

11 Plaintiff,

12 v.

13 DANIEL WHITE, et al.,

14 Defendants.

CASE NO. 3:19-CV-5047-RBL-
JRC

ORDER

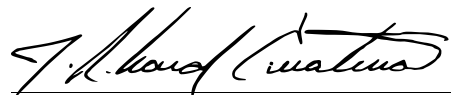
15 On June 4, 2019 the Court directed service of plaintiff's complaint. Dkt. 12. Waivers of
16 service were due July 4, 2019. *See* Dkt. 12. To date, defendant Samantha Hendershot and
17 defendant Jo Hiles have not returned waivers of service. *See* Dkt. Defense counsel has not
18 appeared on behalf of defendant Hendershot or defendant Hiles. *See* Dkt. On July 8, 2019,
19 defense counsel filed a notice informing the Court that the Washington Attorney General's
20 Office has not been able to identify defendant Hendershot or defendant Hiles as current
21 Department of Corrections ("DOC") or State of Washington employees. Dkt. 16. Based on the
22 allegations in the amended complaint, it appears that defendant Hendershot and defendant Hiles
23
24

1 are former correctional officers who were employed at the Washington Corrections Center in
2 Shelton, Washington. Dkt. 11 at 1-2.

3 The court has no jurisdiction over defendant Hindershot or defendant Hiles until they
4 have been properly served under Fed. R. Civ. P. 4. *Direct Mail Specialists, Inc. v. Eclat*
5 *Computerized Techs., Inc.*, 840 F.2d 685, 688 (9th Cir. 1988). Under Rule 4(c)(2), the Court may
6 order that personal service be made by a United States marshal. However, in this district, the
7 marshals do not attempt personal service upon a defendant unless mail service is unavailing. *See*
8 Local Rule 4(c).

9 If defendants are in possession of the last known business or residential address of
10 defendant Hindershot or defendant Hiles, defendants are ordered to submit such address(es) to
11 the Court **under seal on or before August 9, 2019**, so that the Clerk may attempt to effect
12 service. This solution alleviates two concerns involving prisoner litigation: (1) the security risks
13 inherent in providing prisoners with addresses of people formerly employed by the state; and (2)
14 reducing the problems prisoners sometimes encounter when they are attempting to access
15 information through the government. *Sellers v. United States*, 902 F.2d 598, 602-603 (7th Cir.
16 1990). Defendant Hindershot and defendant Hiles may also satisfy this order by filing a waiver
17 and by having counsel enter a notice of appearance on their behalf. All service documents with
18 said address(es) shall also be filed under seal.

19 Dated this 9th day of July, 2019.

20
21 

22 J. Richard Creatura
23 United States Magistrate Judge
24